

C. Rafeedie (ER)

ORIGINAL

In Care of:
Federal Correctional Institution
9595 West Quincy Avenue
Littleton, CO 80123
Terry-Le Roy: Cassidy
In Propria Persona Sui Juris

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JUN 27 2006

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

at 4 o'clock and 19 min. A M
SUE BEITIA, CLERK

UNITED STATES OF AMERICA,)	CIVIL NO. 05-00677-ER-LEK
)	CRIMINAL- CR-02-00133-ER
Plaintiff,)	
)	MOTION FOR RELIEF FROM JUDGEMENT
vs.)	OR ORDER PURSUANT TO RULE 60(a)(b)
)	FEDERAL RULES OF CIVIL PROCEDURE
TERRY LEROY CASSIDY,)	
)	
Defendant,)	
)	

MOTION FOR RELIEF FROM JUDGEMENT
OR ORDER PURSUANT TO RULE 60 (A) FEDERAL RULES CIVIL PROCEDURE

COMES NOW, Terry-Le Roy: Cassidy, In Propria Persona Sui Juris, by and on behalf of the Corporate Debtor Defendant, TERRY LEROY CASSIDY, and moves this Court to correct "clerical mistakes" in the records, per Rule 60(a)(b) in the Federal Rules of Civil Procedure.

- 1.) The first clerical mistake or inadvertence that needs to be corrected is the issue of "conditions of probation", the submitting to DNA tests and the registration with the State's sex offender program.

Neither of these conditions were given by Judge Rafeedie. You cannot create an ex post facto law. You can not say, "the defendant had a sex crime twenty-five years ago, so now, twenty-five years later we want him to submit to registration and DNA testing." This is unlawful. Judge Rafeedie was very specific on this issue when he stated, "only if there is already a imposition of registration from the State." There has never been any imposition of registration from any State, therefore, the Probation Department cannot depart from the Judge's Order and create their own laws and requirements.

(1)

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DISTRICT OF HAWAII

The first page and second page of the Court Docket incorrectly cite these probationary conditions, as well as the page 44 of the Court's Docket of the minutes imposing sentencing. Additionally, all of the documents of the custodian of Terry-Le Roy: Cassidy, cite these bogus conditions.

It appears from the record, that someone has taken it upon themselves the create conditions the Judge did not create. All parties of interest were present and heard the Judge's rulings, therefore, all are aware of the facts. Additionally, I have written each of them, and made them fully aware of this condition, therein providing the opportunity to correct this "Mistake" without the need for the Court's time in entertaining a motion.

2. On page 25 of 49 of the Court's Docket, (section 403) it makes reference that all defendant's entered Pleas of NOT GUILTY. This is in error, Terry-Le Roy: Cassidy was never asked to plea in that hearing unlike all others. He did not enter a plea of not guilty, nor any other type of plea. These assertions are incorrect and very misleading.
3. The first page of the Docket refers to Terry Leroy Cassidy proceeding Pro Se. This is incorrect. At no time did I request to proceed Pro Se. In the Motion to represent myself, I specifically cite I will be proceeding Sui Juris and not Pro Se. This Motion was granted, and any and all references to Pro Se thereafter, are in error.

DECLARATION

I declare under the penalty of perjury under the laws of the United States of America, without the United States, that the foregoing is true, correct and complete to the best of my firsthand knowledge.

RELIEF

For these probationary conditions to be removed from the records and the probation department, as well as the custodian be informed of this correction. And, for the issues of "Pro Se" to be removed from the records and to correctly reflect "Sui Juris", and for the the Superceding Indictment Arraignment to correctly reflect I did not enter any plea.

Dated: *June 27, 2006*

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Without Prejudice UCC 1-207
by: *Terry Le Roy Cassidy, Agent*
Terry-Le Roy: Cassidy, Sui Juris
Authorized Representative

In Care of:
Federal Correctional Institution
9595 West Quincy Avenue
Littleton, CO 80123
Terry-Le Roy: Cassidy
In Propria Persona Sui Juris

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CIVIL NO. 05-00677-ER-LEK
)	CRIMINAL- CR-02-00133-ER
Plaintiff,)	
)	
vs.)	CERTIFICATE OF SERVICE
)	
TERRY LEROY CASSIDY,)	
)	
Defendant,)	
)	

CERTIFICATE OF SERVICE

I certify that I put in the United States mail a True, Correct and Complete copy of the document entitled "MOTION FOR RELIEF FROM JUDGEMENT OR ORDER PURSUANT TO RULE 60(a)(b) FEDERAL RULES OF CIVIL PROCEDURE" sent to the parties listed below, addressed as follows:

United State District Court
District of Hawaii
Clerk of the Court
300 Ala Moana Blvd.
Honolulu, HI 96850

Assistant United States Attorney
Clare E. Connors
300 Ala Moana Blvd. Rm 6-100
Honolulu, HI 96850

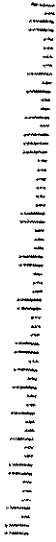
Dated: *June 22, 2006*

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Without Prejudice UCC 1-207
by: *Terry Le Roy Cassidy, Agent*
Terry-Le Roy: Cassidy, Sui Juris

DENVER CO 802
23 JUN 2006 PM 9 L

United States District Court
District of Hawaii
Clerk of the Court
300 Ala Moana Blvd.
Honolulu, HI 96850

1000403835



1715 West Quincy Ave
Littleton, CO 80123
Tenny Cassidy 32192-013

MAIL
Vegh

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DISTRICT OF HAWAII

Prisons System Release
Federal Correctional Institution
9595 W. Quincy Avenue
Littleton, Colorado 80123

Date/Initials:

6/27/06

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